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Wyeth**F A C S I M I L E**

Date: August 9, 2005

Number of pages (including cover): 3

To: Examiner Celia C. Chang

Corrected Terminal Disclaimer

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☐ Urgent

☒ For your review

☐ Please reply asap

☐ Please comment

Remarks:

Case No: AM100986

Application No.: 10/621,698 Group Art No.: 1625
Filed: July 17, 2003 Examiner: Celia C. CHANG
For: 1-HETEROCYCLYLALKYL-3-SULFONYLINDOLE OR -
INDAZOLE DERIVATIVES AS 5-HYDROXYTRYPTAMINE-6
LIGANDS

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Docket No: AM100986
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Ronald Charles Bernotas et al.
Application No.: 10/621,698 Group No.: 1625
Filed: July 17, 2003 Examiner: Chang, Celia C
For: 1-HETEROCYCLYLALKYL-3-SULFONYLINDOLE OR -INDAZOLE
DERIVATIVES AS 5-HYDROXYTRYPTAMINE-6 LIGANDS
Confirmation No.: 1509
Customer Number: 25291

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir,

TERMINAL DISCLAIMER

I, Barbara L. Lences, represent that I am an agent of record and am empowered to act on behalf of Wyeth. Wyeth is the assignee of record, Recordation of Assignment Reel Number 014995, Frame 0748, of the entire right, title, and interest in and to the invention in the subject application. Wyeth is also the assignee of record of U.S. Patent No. 6,727,246, Recordation of Assignment Reel Number 014148, Frame 0064.

On behalf of Wyeth, I hereby disclaim, except as otherwise provided herein, the terminal part of any patent granted on the subject application which would extend beyond the expiration date of the full statutory term, including statutory extensions thereof of U.S. Patent No. 6,727,246 for 1-(AMINOALKYL)-3-SULFONYLINDOLE AND -INDAZOLE DERIVATIVES AS 5-HYDROXYTRYPTAMINE-6 LIGANDS, except to the extent that the term of this application Application No. 10/621,698 might be extended pursuant to the Drug Price Competition and Patent Term Restoration Act of 1984 (35 USC §156) or any other applicable act of Congress, and hereby agree that any patent so granted on the subject application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,727,246, this agreement to run with any patent granted on the subject application and to be binding upon the grantee, its successors or assigns.

Wyeth, does not disclaim any terminal part of any patent granted on the subject application prior to the expiration date of the full statutory term of U.S. Patent No. 6,727,246 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

Docket No: AM100986
Patent

Pursuant to 37 CFR 3.73(b), I have reviewed all the recordation information above or all documents in the chain of title of the subject patent application and, to the best of my knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Petitioner hereby authorizes payment of the requisite One Hundred and Ten Dollars (\$110.00) fee for this Terminal Disclaimer pursuant to 37 CFR 1.20 (d) by charging Deposit Account No. 01-1425. A duplicate copy of the transmittal letter is enclosed for deposit account charging purposes.

August 9, 2005
Date

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